

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
1685 "E" Street, Fresno, California 93706

NOTICE OF PUBLIC HEARING
concerning

**RENEWAL OF WASTE DISCHARGE REQUIREMENTS
AND
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
(NPDES NO. CA0084239)
AND
ADOPTION OF A CEASE AND DESIST ORDER
FOR
MALAGA COUNTY WATER DISTRICT
WASTEWATER TREATMENT FACILITY
FRESNO COUNTY**

The Malaga County Water District (Discharger) owns and operates a wastewater treatment facility. The Discharger is authorized to discharge up to 0.45 million gallons per day (mgd) of disinfected tertiary-treated wastewater to Central Canal (Discharge Point 001), which is hydraulically connected to Fresno Slough, a water of the United States, which flows into San Joaquin River, also a water of the United States. The Discharger is also authorized to discharge un-disinfected secondary-treated wastewater to onsite disposal ponds (Discharge Point 002). The discharges are regulated by Waste Discharge Requirements (WDRs) Order R5-2008-0033 (NPDES Permit No. CA0084239).

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) will consider adoption of WDRs renewing the NPDES permit and adoption of a Cease and Desist Order (CDO). The proposed WDRs/NPDES permit restricts flow to the onsite disposal ponds to 0.49 mgd, as an average monthly, which is lower than the current permitted flow of 0.85 mgd in WDRs Order R5-2008-0033. The Discharger will have the opportunity to request an increase in flow, up to 0.85 mgd, provided it can demonstrate the ponds have sufficient capacity to dispose of the increased flow and still comply with other permit requirements. The proposed WDRs/NPDES permit also includes a requirement for the Discharger to cease discharge to Central Canal during periods when there are no irrigation water deliveries (beginning at the expiration date of the proposed WDRs/NPDES permit), and also includes new final effluent limitations at Discharge Point 001 for aluminum, un-ionized ammonia (as N), chronic toxicity, copper, cyanide, and nitrate plus nitrite (as N). The Discharger is unable to immediately comply with the new effluent limitations for copper, cyanide, and nitrate plus nitrite (as N). A CDO is proposed to provide a time schedule for compliance with the new effluent limitations for copper, cyanide, and nitrate plus nitrite (as N). The CDO also requires the Discharger to complete several tasks related to its onsite disposal capacity, pretreatment program, and groundwater monitoring network. The CDO rescinds CDO R5-2008-0032.

An alternative for discharge restrictions to Central Canal is included in the Tentative Orders package and may be considered by the Central Valley Water Board at the subject public hearing. The alternative would require the Discharger to completely cease discharging to Central Canal as opposed to ceasing discharge only during non-irrigation season.

A public hearing concerning this matter will be held during the Central Valley Water Board meeting, which is scheduled for:

DATE: 4/5 December 2014
TIME: 8:30 a.m. or 9:00 a.m.
PLACE: Central Valley Regional Water Quality Control
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

NOTICE OF PUBLIC HEARING
MALAGA COUNTY WATER DISTRICT
WASTEWATER TREATMENT FACILITY
FRESNO COUNTY

-2-

The designated party for this hearing is as follows:

- Malaga County Water District

Designated parties, but not interested persons will have these rights: to call and examine witnesses; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Central Valley Water Board staff will prepare the administrative record, and may present evidence, make an oral presentation and cross-examine opposing witnesses.

Interested persons may not cross examine witnesses, and will not be subject to cross examination. Interested persons may submit evidence (e.g., photographs, eye-witness testimony, monitoring data) if the evidence is submitted in accordance with the deadlines for submitting evidence described below. Interested persons who present evidence may be subject to cross-examination. Interested persons may request status as a designated party for purposes of this hearing by submitting such a request in writing to the Central Valley Water Board no later than **27 October 2014**. The request must explain the basis for status as a designated party, and, in particular, how the person is affected by the discharge.

The tentative WDRs/NPDES permit, tentative CDO, and proposed alternative will be available no later than 26 September 2014. Persons wishing to comment on these items must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than **5 p.m. on 27 October 2014**. Testimony, evidence, and/or written comments submitted after **5 p.m. on 27 October 2014** will not be accepted and will not be incorporated into the administrative record absent a ruling by the Board Chair. A party requesting to submit late materials must demonstrate good cause for the late submission, and the Board Chair must find that the late submission would not prejudice the Central Valley Water Board or any designated party.

All designated parties and interested persons may speak at the Central Valley Water Board hearing and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair. Both designated parties and interested persons may be asked to respond to clarifying questions from Board members, counsel staff, or others at the discretion of the Central Valley Water Board.

Anyone having questions on the tentative WDRs/NPDES permit, tentative CDO, or proposed alternative should contact Aide Ortiz at (559) 445-6083 or at aide.ortiz@waterboards.ca.gov. Interested parties may download the tentative WDRs/NPDES permit, tentative CDO, proposed alternative, and related documents from the Central Valley Water Board Board's Internet website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/. Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at 1685 "E" Street, Fresno, California 93706, weekdays between 8:00 a.m. and 5:00 p.m. The documents will be available no later than 26 September 2014.

The final Central Valley Water Board meeting agenda will be available at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/#2014 at least ten days before the meeting. The agenda will provide the dates the hearing will be held, indicate the anticipated order of agenda items, and may include staff revisions to the tentative WDRs/NPDES permit, tentative CDO, and proposed alternative.

The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/laws_regulations/. Information on meeting and hearing procedures is also available on the Central Valley Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml or by contacting any one of


NOTICE OF PUBLIC HEARING
MALAGA COUNTY WATER DISTRICT
WASTEWATER TREATMENT FACILITY
FRESNO COUNTY

-3-

the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.


LONNIE M. WASS, Supervising Engineer

25 September 2014